

RESIDENTIAL IMPROVEMENT  
GUIDELINES  
AND SITE RESTRICTIONS  
FOR  
ORCHARD FARMS  
METROPOLITAN DISTRICT

AS OF APRIL 1, 2026

## **Table of Contents**

INTRODUCTION .....	6
1.1 Basis for Guidelines .....	6
1.2 Definitions.....	6
1.3 Contents of Guidelines.....	6
1.4 Architectural Review Committee or Representative .....	6
1.5 ARC Contact Information.....	6
1.6 Effect of Covenants.....	6
1.7 Effect of Governmental and Other Regulations.....	7
1.8 Interference with Utilities .....	7
1.9 Goal of Guidelines .....	7
1.10 Enforcement of Covenants and Design Guidelines .....	7
PROCEDURES FOR ARC APPROVAL .....	8
2.1 General.....	8
2.2 Drawings or Plans .....	8
2.3 Submission of Drawings and Plans.....	9
2.4 Action by ARC .....	9
2.5 Revisions and Additions to Approved Plans .....	9
2.6 Completion of Work .....	10
2.7 Notice of Completion.....	10
2.8 Inspection of Work .....	10
2.9 Notice of Non-Compliance.....	10
2.10 Correction of Non-Compliance.....	10
2.11 Amendment.....	11
2.12 Questions.....	11
SPECIFIC TYPES OF IMPROVEMENTS/SITE RESTRICTIONS.....	11
3.1 General.....	11
3.2 Variances.....	11

3.3 No Unsightliness .....	11
3.4 Waivers; No Precedent .....	11
3.5 Liability .....	12
3.6 Accessory Building .....	12
3.7 Additions and Expansions .....	12
3.8 Address Numbers .....	13
3.9 Air Conditioning Equipment .....	13
3.10 Antenna/Satellite Dishes .....	13
3.11 Awnings .....	14
3.12 Balconies .....	14
3.13 Barbecue/Gas Grills .....	14
3.14 Basketball Backboards .....	14
3.15 Birdbaths .....	15
3.16 Birdhouses and Bird Feeders .....	15
3.17 Boats .....	15
3.18 Carports .....	15
3.19 Clothes Lines and Hangars .....	15
3.20 Cloth or Canvas Overhangs .....	15
3.21 Commercial and/or Oversized Vehicles .....	15
3.22 Compost .....	16
3.23 Decks .....	16
3.24 Dog Houses .....	17
3.25 Dog Runs .....	17
3.26 Doors .....	17
3.27 Drainage .....	17
3.28 Driveways .....	18
3.29 Energy Efficiency Measure .....	18
3.30 Evaporative Coolers .....	19
3.31 Exterior Lighting .....	19
3.32 Fences .....	19
3.33 Fire Pits .....	21

3.34 Firewood Storage .....	21
3.35 Flags/Flagpoles .....	21
3.36 Fountains/Water Features .....	21
3.37 Garage Sales.....	22
3.38 Gardens – Fruit or Vegetable .....	22
3.39 Gazebos and Pergolas .....	22
3.40 Grading and Grade Changes .....	22
3.41 Greenhouses .....	22
3.42 Holiday Decorations and Lighting.....	22
3.43 Hot Tubs, Cold Tubs and Jacuzzis.....	23
3.44 Irrigation Systems .....	23
3.45 Kennels/Commercial Animal Care .....	23
3.46 Landscaping (Approval required) .....	23
3.47 Latticework, Trellis, Arbors.....	24
3.48 Lights and Lighting.....	25
3.49 Mailboxes.....	26
3.50 Maintenance of Property .....	26
3.51 Motor Vehicles/Recreational Vehicles .....	26
3.52 Overhangs/Awnings – Cloth or Canvas.....	27
3.53 Painting .....	27
3.54 Patio Cover/Pergola .....	28
3.55 Patios – Enclosed .....	28
3.56 Patios – Open .....	28
3.57 Paving .....	28
3.58 Pipes .....	28
3.59 Play Structures, Sports Equipment and Sport Courts .....	28
3.60 Playhouses.....	29
3.61 Poles .....	29
3.62 Ponds and Water Features.....	29
3.63 Pools.....	30
3.64 Radio Antennae.....	30

3.65 Radon Mitigation Systems (Approval is not Required).....	30
3.66 Rain Barrels .....	30
3.67 Roofing Materials .....	30
3.68 Rooftop Equipment.....	30
3.69 Satellite Dishes.....	30
3.70 Saunas .....	31
3.71 Sewage Disposal Systems/Septic Systems (Individual) .....	31
3.72 Sheds.....	31
3.73 Siding.....	31
3.74 Signs.....	31
3.75 Solar Energy Devices.....	31
3.76 Statues.....	32
3.77 Temporary Structures.....	32
3.78 Tree Houses .....	32
3.79 Tree Lawns.....	32
3.80 Utility Equipment.....	32
3.81 Walls, Retaining.....	32
3.82 Weather Vanes and Directionals.....	32
3.83 Wind Electric Generators.....	33
3.84 Windows Replacement .....	33
3.85 Windows: Tinting, Security Bars, Well Covers, etc. ....	33
3.86 Work Involving District Property .....	33
3.87 Xeriscape.....	33
3.88 Yard Art – Include statues, birdbaths, ornaments, art, etc. ....	35
SCHEDULE 1 - FENCE DETAILS .....	36
SCHEDULE 2 - APPROVED FENCE STAIN COLOR .....	37
SCHEDULE 3 - XERISCAPE EXAMPLES .....	38
SCHEDULE 4 – APPROVED SCHEMES FOR COLOR PALETTE .....	39

# **INTRODUCTION**

## **1.1 Basis for Guidelines**

These Residential Improvement Guidelines and Site Restrictions (the “Guidelines”) are intended to assist Owners living in the Orchard Farms Community (the “Community”) in implementing landscaping and other Improvements to their property. The Covenants and Restrictions of Morrison (the “Covenants”) require prior approval, as defined below, from the Architectural Review Committee (the “ARC”) before the construction, erection, placement, alteration, planting, application, installation or modification of any Improvement upon any Unit shall be made. In order to assist Owners, the ARC desires to establish certain pre-approved designs for several types of Improvements and to exempt certain Improvements from the requirement for approval. This booklet contains the guidelines established by the ARC with respect to property subject to the Covenants. Notwithstanding anything to the contrary in these Guidelines, the ARC will consider and approve reasonable modifications to a Unit as necessary to afford an individual with disabilities full use and enjoyment of the Unit in accordance with the federal “Fair Housing Act of 1968”, 42 U.S.C. sec. 3604(f)(3)(A).

## **1.2 Definitions**

All capitalized words and phrases used in these Guidelines shall have the meaning provided in the Covenants unless otherwise defined herein.

## **1.3 Contents of Guidelines**

In addition to the introductory material, these Guidelines contain a summary of procedures for obtaining approval from the ARC (see [Section 2](#)); and a listing of specific types of improvements that Owners might wish to make with specific information as to each of these types of improvements (see [Section 3](#)).

## **1.4 Architectural Review Committee or Representative**

Pursuant to Section 2.1 of the Covenants and a Partial Surrender of Developer Rights Under the Covenants and Restrictions of Morrison dated September 26, 2022 and recorded on September 27, 2022 at Reception Number 2022000080336 in the real property records of Adams County, Colorado (the “Resolution”), the Board of Directors of the District has the authority to appoint the ARC. The ARC shall consist of three (3) or more natural Persons.

## **1.5 ARC Contact Information**

The contact information of the ARC is:

COMPANY NAME	OFFICE	FAX	E-MAIL
CliftonLarsonAllen, LLP	(303) 779-5710	(303) 779-0348	<a href="mailto:celeste.Terrell@clacconnect.com">celeste.Terrell@clacconnect.com</a>

## **1.6 Effect of Covenants**

The Covenants govern the Property within the Community. Each Owner should review and become familiar with the Covenants. Nothing in these Guidelines supersedes or alters the provisions or requirements of the Covenants and, if there is any conflict or inconsistency, the Covenants will control.

## **1.7 Effect of Governmental and Other Regulations**

The Owner is responsible for ensuring the use of property within the Community and any Improvements complies with any applicable building codes and other governmental requirements and regulations. Owners are encouraged to contact the City of Thornton for further information and requirements for Improvements they wish to make.

**APPROVAL BY THE ARC DOES NOT CONSTITUTE ASSURANCE THAT IMPROVEMENTS COMPLY WITH APPLICABLE GOVERNMENTAL REQUIREMENTS OR REGULATIONS OR THAT A PERMIT OR APPROVALS ARE NOT ALSO REQUIRED FROM APPLICABLE GOVERNMENTAL BODIES.**

## **1.8 Interference with Utilities**

In making Improvements to property, Owners are responsible for locating all water, sewer, gas, electrical, cable television, or other utility lines or easements. Owners should not construct any Improvements over such easements without the consent of the utility involved, and Owners will be responsible for any damage to any utility lines. All underground utility lines and easements can be located by contacting: Utility Notification Center of Colorado 1-800-922-1987

## **1.9 Goal of Guidelines**

Compliance with these Guidelines and the provisions of the Covenants will help preserve the inherent architectural and aesthetic quality of the Community. It is the responsibility of the ARC to ensure that all proposed Improvements meet or exceed the requirements of these Guidelines and to promote the highest quality design for the neighborhood. It is important that the ARC approves Improvements to property to be made in harmony with and not detrimental to the rest of the Community. A spirit of cooperation with the ARC and neighbors will go far in creating an optimum environment. The ARC must acknowledge and remove personal bias from decisions made on behalf of the Community. By strictly following these Guidelines and obtaining prior written approval, as defined below, for Improvements to property from the ARC, Owners will be protecting their financial investment and will help ensure that Improvements to property are compatible with standards established for the Community. If a question ever arises as to the correct interpretation of any terms, phrases or language contained in these Guidelines, the ARC's interpretation shall be final and binding.

## **1.10 Enforcement of Covenants and Design Guidelines**

The Orchard Farms Metropolitan District (the "District") shall have primary responsibility for the enforcement of the architectural requirements of the Covenants and these Guidelines. The District, its agents, and the ARC will investigate written complaints concerning violations of the

requirements/prohibitions of the Covenants or these Guidelines, if such complaints are signed and dated or submitted electronically by the person making the complaint. The District, its agents, and the ARC shall use all reasonable means to maintain the anonymity of complainants. If a violation is found as a result of a complaint or through its own inspections, the District shall notify the Owner whose property is in violation, in writing, requesting that appropriate action be taken to achieve compliance. The District shall take enforcement action (including assessing fines, fees, and penalties) in accordance with the District's compliance and fee policy then in effect. Specific duties and powers of the ARC and the District are more fully set forth in the Covenants.

## **PROCEDURES FOR ARC APPROVAL**

### **2.1 General**

As indicated in [Section 3](#), there are some cases in which advance written approval of the ARC is not required if the Guidelines with respect to that specific type of Improvement are followed. In a few cases, as indicated in [Section 3](#), a specific type of Improvement is not permitted under any circumstances. In all other cases, including Improvements not included in [Section 3](#), advance, or prior written approval by the ARC is required prior to commencement of work on any Improvement to property.

### **2.2 Drawings or Plans**

Owners are required to submit to the ARC a Design Review Request Form and complete plans and specifications (said plans and specifications to show exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically (if applicable), location and size of driveways, general plan of landscaping, fencing, walls, windbreaks and grading plan, as well as such other materials and information as may be required) prior to commencement of work on any Improvement to property. In most cases, the materials to be submitted will not have to be professionally prepared by an architect, a landscape architect, or draftsman, and a simple drawing with dimensions and description will be sufficient. In the case of major improvements, such as room additions, structural changes or accessory building construction, detailed plans and specifications, prepared by a licensed architect, may be required. Whether done by the Owner, or professionally, the following guidelines should be followed in preparing drawings or plans:

1. The drawing or plan should be done to scale and shall depict the property lines of your Unit and the outside boundary lines of the home as located on the Unit. If you have a copy of an improvement survey of your Unit obtained when you purchased it, this survey would be an excellent base from which to start. Satellite photos of the property are acceptable so long as the Owner acknowledges that the image is a reasonably accurate depiction of the Improvements and the property line. The District reserves the right to require the Owner submit a copy of a drawing on an improvement survey.
2. Existing Improvements, in addition to your home, should be shown on the drawing or plan and identified or labeled. Such existing Improvements include driveways, walks, decks, trees, shrubs, fences, etc. The proposed Improvements should be shown on the plan and labeled. Either on the plan or on an attachment, there should be a brief description of the

proposed Improvement, including the materials to be used and the colors.

3. The plan or drawing and other materials should include the name of the Owner, the address of the home, the lot, block and filing number of the Unit, and the e-mail address and telephone number where the Owner can be reached.
4. The proposed Improvements must take into consideration the easements, building location restrictions and sight distance limitations at intersections.

Owners should be aware that many Improvements require a permit from the City of Thornton.

### **2.3 Submission of Drawings and Plans**

Electronic submission or two copies of the drawing or plans (minimum acceptable size 8.5" x 11") must be submitted to the ARC along with a completed Design Review Request Form. Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required.

If required, the ARC will notify the Owner that an additional fee is required in order for the District to evaluate the request. The Owner will approve or reject, in writing, the imposition of additional fees to review the request. If the Owner rejects the imposition of additional fees, that rejection may result in a denial of the submission. Any costs incurred by the ARC for review of submittals shall be borne by the Owner and shall be payable prior to final approval. Any reasonable engineering consultant fees or other fees incurred by the ARC in reviewing any submission will be assessed to the Owner requesting approval of the submission.

The ARC may require submission of additional information or material, and the request will be deemed denied until all required information and materials have been submitted. Once all of the required information is submitted the ARC will inform the Owner that the request is under review.

### **2.4 Action by ARC**

The ARC will meet as required to review plans submitted for approval. The ARC will act upon all requests in writing within forty-five (45) days after the complete submission of plans, specifications, and other materials and information as requested by the ARC. If, for any reason, the ARC fails to review and approve in writing (which may be with conditions and/or requirements) or disapprove, a request for architectural approval within forty-five (45) days after the complete submission of the plans, specifications, materials and other information with respect thereto, such request is deemed approved by the ARC.

### **2.5 Revisions and Additions to Approved Plans**

Any revisions and/or additions to approved plans made by the Owner or as required by any governmental agency, must be re-submitted for approval by the ARC. The revised plans must follow the requirements as outlined above.

## **2.6 Completion of Work**

After approval (which may be with conditions and/or requirements) of any proposed Improvement by the ARC, the proposed Improvement shall be completed and constructed as promptly and diligently as possible, and in complete conformity with all conditions and requirements of the approval. Failure to complete the proposed Improvement within one year from the date of the approval (the "Completion Deadline"), or to complete the Improvement in complete conformance with the conditions and requirements of the approval, shall constitute noncompliance; provided, however, that the ARC may grant extensions of time to individual Owners for completion of any proposed Improvements, either (a) at the time of initial approval of such Improvements, or (b) upon the request of any Owner, provided such request is delivered to the ARC in writing; provided that the Owner is diligently prosecuting completion of the subject Improvements or other good cause exists at the time such request is made.

## **2.7 Notice of Completion**

Upon the completion of an Improvement, the applicant for approval of the same shall give a written "Notice of Completion" to the ARC (in form and substance acceptable to the ARC, or on forms provided by the ARC). Until the date of receipt of such Notice of Completion, the ARC shall not be deemed to have notice of completion of any Improvement on which approval (which may be with conditions and/or requirements) has been sought and granted as provided in this Section.

## **2.8 Inspection of Work**

The ARC, or its duly authorized representative or committee, shall have the right to inspect any Improvement at any time, including prior to, during, or after completion, in order to determine whether or not the proposed improvement is being completed or has been completed in compliance with the approval granted pursuant to this Article. This is an evaluation of the work in progress or completed and whether it meets the conditions of the approval, not the representative's subjective opinion of material quality.

## **2.9 Notice of Non-Compliance**

If, as a result of inspections or otherwise, the ARC determines that any Improvement has been done without obtaining all required approvals (which may be with conditions and/or requirements), or was not done in substantial compliance with the approval that was granted, then the ARC shall notify the applicant in writing of the non-compliance (the "Notice of Non-Compliance"). The Notice of Non-Compliance shall specify the particulars of the non-compliance.

## **2.10 Correction of Non-Compliance**

If the ARC determines that a non-compliance exists, the Person responsible for such noncompliance shall remedy or remove the same within fifteen (15) days from the date of the Notice of Non-Compliance or such longer time as set forth in the Notice of Non-Compliance, not to exceed forty-five (45) days. If such Person does not comply with the ruling within such period, the ARC shall notify the District, and the District may, at its option, record a notice of non-compliance against the Unit on which the non-compliance exists, may impose fines, penalties and interest, may remove the non-complying Improvement, or may otherwise remedy the non-

compliance, and the Person responsible for such non-compliance shall reimburse the ARC, upon demand, for all costs and expenses, as well as anticipated costs and expenses, with respect thereto.

### **2.11 Amendment**

These Guidelines may at any time, from time to time, be added to, deleted from, repealed, amended, and modified, reenacted, or otherwise changed by the ARC in its sole discretion as changing conditions and/or priorities dictate.

### **2.12 Questions**

If you have any questions about the foregoing procedures, feel free to call the ARC at the phone number and address listed in the [Section 1.5](#) of these Guidelines.

## **SPECIFIC TYPES OF IMPROVEMENTS/SITE RESTRICTIONS**

### **3.1 General**

The following is a listing, in alphabetical order, of a wide variety of specific types of improvements which Owners typically consider installing, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans for a proposed Improvement must be submitted to the ARC and written approval of the ARC obtained before the Improvements are made. In some cases, where it is specifically so noted, an Owner may proceed with the Improvements without advance approval if the Owner follows the stated guideline. In some cases, where specifically stated, some types of Improvements are prohibited. ARC review and approval is required on any external items not listed below.

### **3.2 Variances**

Approval of any proposed plans by the granting of a variance from compliance with any of the provisions of these Guidelines is at the sole discretion of the ARC when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require.

### **3.3 No Unsightliness**

All unsightly conditions, structures, facilities, equipment, and objects, including snow removal equipment and garden or maintenance equipment, when not in actual use, must be enclosed within a structure.

### **3.4 Waivers; No Precedent**

The approval or consent of the ARC to any application for approval shall not be deemed to constitute a waiver of any right to withhold or deny approval or consent as to any application or other matters whatsoever, as to which approval or consent may subsequently or additionally be required. Nor shall any such approval or consent be deemed to constitute a precedent in any other matter.

### **3.5 Liability**

The ARC and the members thereof shall not be liable in damages to any person submitting requests for approval or to any approval, or failure to approve or disapprove in regard to any matter within its jurisdiction. The ARC shall not bear any responsibility for ensuring structural integrity or soundness of approved construction or modifications, or for ensuring compliance with building codes and other governmental requirements. The ARC will not make any investigation into title, ownership, easements, rights-of-way, or other rights appurtenant to property with respect to architectural requests and shall not be liable for any disputes relating to the same.

### **3.6 Accessory Building**

Approval is required. Storage sheds, saunas and/or accessory buildings must be aesthetically compatible and consistent with the style and character of the home and other homes in the same general area of the Community. All structures must be placed in rear or side yards. Such storage sheds and/or accessory buildings must be permanent in nature. Approval will be based upon, but not limited to, the following criteria:

1. Storage sheds and/or any accessory buildings shall not be more than eighty (80) square feet and shall not be more than eight (8) feet high at the peak.
2. Lots exceeding 10,000 square feet may seek approval for an Accessory Building up to 144 square feet and (10) feet high at the peak.
3. If shed is placed adjacent to a dwelling property line a 5' setback from the property line is required. The roof pitch must be complementary to the existing roof on the home, unless otherwise approved by the ARC.
4. Such storage sheds and/or accessory buildings must be permanent in nature.
5. No more than one (1) storage shed, one (1) greenhouse, and one (1) playhouse (see [Section 3.59](#), Playhouses) shall be permitted per Unit.

The ARC, in reviewing and approving or denying an application for approval of a storage shed or accessory building, shall take into consideration the combination of lot size, square footage of the home, the existing grading, fence locations, landscape screenings, etc.

Any utilities serving the storage shed or accessory building shall be underground.

### **3.7 Additions and Expansions**

Approval is required. Additions or expansions must be constructed of wood, masonite, glass, brick, stone, or other material as used in construction of the exterior of the home. Colors must be the same as that of the Unit. Additions or expansions must be aesthetically compatible and consistent with the style and character of the home and other homes in the same general area of the Community.

### **3.8 Address Numbers**

Approval is not required to replace, alter or relocate existing address numbers. Address numbers are required on each Unit and must be a contrasting color to the Unit.

### **3.9 Air Conditioning Equipment**

Approval is required for all air conditioning equipment including evaporative coolers (swamp coolers) and attic ventilators installed after the initial construction.

Approval is not required for replacement of existing air conditioning equipment with like equipment; otherwise, approval is required.

No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment shall be placed or installed on rooftops. Ground mounted or exterior wall air conditioning equipment installed in the side yard must be installed in a manner so as to minimize visibility from the street and minimize any noise to adjacent property Owners.

See also [Section 3.29](#), Energy Efficiency Measure.

### **3.10 Antenna/Satellite Dishes**

"Permitted Antennas" are defined as (a) an antenna which is less than one meter in diameter and is used to receive direct broadcast satellite service, including direct-to home satellite services, or is used to receive or transmit fixed wireless signals via satellite; (b) an antenna which is less than one meter in diameter and is used to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instruction television fixed services, and local multipoint distribution services or is used to receive or transmit fixed wireless signals other than via satellite; (c) an antenna which is designed to receive broadcast television broadcast signals; or (d) other antennas which are expressly permitted under applicable federal statutes or regulations. In the event a Permitted Antenna is no longer expressly permitted under applicable federal statutes or regulations, such antenna will no longer be a Permitted Antenna for purposes of this Section. Installation of Permitted Antennas shall not require the approval of the ARC.

All Permitted Antennas shall be installed with emphasis on being as unobtrusive as possible to the Community. To the extent that reception is not substantially degraded or costs unreasonably increased, all Permitted Antennas shall be screened from view from any street and nearby Units to the maximum extent possible, and placement shall be made in the following order of preference:

1. Inside the structure of the house, not visible from the street
2. Rear yard or side yard, behind and below the fence line
3. Rear yard or side yard, mounted on the house, in the least visible location below roofline
4. Side yard in front of wing fence, screened by and integrated into landscaping

5. Back rooftop
6. Front yard screened by and integrated into landscaping.

If more than one (1) location on the Unit allows for adequate reception without imposing unreasonable expense or delay, the order of preference described above shall be used, and the least visible site shall be selected.

Permitted Antennas shall not encroach upon common areas or any other Owner's property.

All Permitted Antennas shall be no larger, nor installed more visibly, than is necessary for reception of an acceptable signal.

Owners are responsible for all costs associated with the Permitted Antenna, including but not limited to costs to install, replace, repair, maintain, relocate, or remove the Permitted Antenna.

All cabling must be run internally when feasible, must be securely attached, and must be as inconspicuous as possible. Permitted Antennas, masts and any visible wiring may be required to be painted to match the color of the structure to which they are attached. The Owner should check with the installer/vendor for the appropriate type of paint.

All other antennas, not addressed above, are prohibited.

### **3.11 Awnings**

Approval is required. Awnings should be an integral part of the house or patio design. The color shall be complementary to the exterior of the residence.

See [Section 3.52](#), Overhangs/Awnings – Cloth or Canvas.

### **3.12 Balconies**

See [Section 3.23](#), Decks.

### **3.13 Barbecue/Gas Grills**

Approval is not required for temporary barbecue grills. All temporary barbecue grills, smokers, etc. must be stored in the rear yard or within an enclosed structure, not visible from the front of the home when not in use. Approval is required for all permanent or built-in barbecue grills.

### **3.14 Basketball Backboards**

Approval is not required, subject to the following limitations. Garage mounted basketball backboards are allowed provided they are commercially manufactured and properly installed. Portable basketball backboards shall be allowed if the following guidelines are met:

1. Portable basketball backboards can be placed in the public rights of way, streets, sidewalks or street lawns when in use.

2. Portable basketball backboards may be left out vertically when not in use only if the backboard, hoop, and net are in good repair.
3. Portable basketball backboards that are not in good repair, including the hoop and net, must be stored out of sight when not in use and may not be left out for more than 24 hours.
4. Portable basketball backboards must be commercially manufactured.

### **3.15 Birdbaths**

Approval is not required. Only one (1) birdbath can be visible from the street.

See [Section 3.88](#), Yard Art.

### **3.16 Birdhouses and Bird Feeders**

Approval is not required, subject to the following limitations. If installed in the rear yard and the size is limited to one foot by two feet, no approval is required. No more than three of each of a birdhouse or bird feeder shall be visible from the street. Birdhouses or bird feeders may be mounted on a pole, provided the pole shall not exceed five (5) feet in height.

### **3.17 Boats**

See [Section 3.51](#), Motor Vehicles/Recreation Vehicles.

### **3.18 Carports**

Approval will not be granted.

### **3.19 Clothes Lines and Hangars**

Approval is not required for temporary clotheslines, subject to the following limitations. Clotheslines may only be placed in the rear yard. Temporary drying structures will be permitted so long as such structures are used solely in the rear yard of a lot and are immediately removed from sight after each use.

See also [Section 3.29](#), Energy Efficiency Measures.

### **3.20 Cloth or Canvas Overhangs**

See [Section 3.52](#), Overhangs/Awnings – Cloth or Canvas.

### **3.21 Commercial and/or Oversized Vehicles**

The garage area and driveway of each Unit should first be fully used for the parking of vehicles before any street parking is done. However, notwithstanding the foregoing, street parking is not restricted by this Section.

- A. Restricted Vehicles. Per the Covenants, vehicles primarily used or designed for commercial

purposes, tractors, mobile homes, recreational vehicles, trailers (either with or without wheels), campers, camper trailers, boats and other watercraft, recreational vehicles, golf carts and boat trailers, shall be parked only in enclosed garages or specific areas, if any, which may be designated by the governing board of the District. The driveways of each home have been designated as an area where residents may park vehicles with commercial writing on their exteriors and vehicles primarily used or designed for commercial purposes, in addition to parking such vehicles in an enclosed garage. This restriction contained herein, however, shall not restrict trucks or commercial vehicles which are necessary for construction or for the maintenance of any portion of the Property, or any Improvements located thereon, nor shall such restrictions prohibit vehicles that may be otherwise parked as a temporary expedient for loading, delivery or emergency. Stored vehicles and vehicles which are inoperable or do not have current operating licenses shall not be permitted on the Property except within enclosed garages. For purposes of this Section, a "stored or inoperable" shall mean any vehicle which has not been driven under its own propulsion for a period of two weeks or more. Parking for seventy-two (72) consecutive hours during a seven (7) day period for loading and unloading is allowed. Parking of a recreational vehicle for a period of time in excess of seventy two (72) consecutive hours in a seven (7) day period is prohibited, except as may be approved in writing by the ARC.

- B. Vehicle Maintenance and Repair. No activity, including maintenance, repair, rebuilding, dismantling, repainting or servicing of any kind of vehicle, trailers or boats, may be performed or conducted in the Unit unless it is done within the Unit's garage which screens the majority of the sight and sound of the activity from the street and from adjoining Units. Any Owner or other Person undertaking any such activities shall be solely responsible for, and assumes all risks of, such activities, including adoption and utilization of any and all necessary safety measures, precautions and ventilation. However, the foregoing restrictions shall not be deemed to prevent washing and polishing of any motor vehicle, boat, trailer, motor-driven cycle, or other vehicle on a Unit, together with those activities normally incident and necessary to such washing and polishing.

### **3.22 Compost**

Approval is not required. The compost container must not be immediately visible to adjacent properties and odor must be controlled.

### **3.23 Decks**

Approval is required. The deck must be wood or composite type decking products and approved by the ARC. The City may require permits and the resident is solely responsible for obtaining and abiding by building codes and permitting criteria. The decking material must be complimentary to the colors on the home. Screening may be required.

All deck columns shall be integrated into the architectural style/character of the home. Covered decks shall be compatible with the architectural style of the home through roof form integration, column design, and railing details. When possible, matching the column style present on the front of the home is preferred.

Decking that is less than thirty (30) inches above grade of the lot may utilize a skirting provided the skirting is made of wood, plastic, or composite minimum one-half (½) inch thick boards and stained or painted to match the remaining portions of the deck. Decks may not be more than twenty-five percent (25%) of the entire rear yard of the Unit unless otherwise approved by the ARC. Construction shall not occur over easements or beyond the side plane of the home and must be set back a minimum of (10) feet from the rear property line.

Please refer to [Schedule 4](#) for approved color palettes. The deck may also be painted to match the body or trim color of the home.

### **3.24 Dog Houses**

Approval is not required. Dog houses are restricted to ten (10) square feet and must be located in a fenced back yard, fenced side yard or dog run. Dog houses must be installed at ground level and must not be visible above the fence.

### **3.25 Dog Runs**

Approval is required. Dog runs must be located in the rear or side yard, abutting the home, not exceeding the height of the fence (inclusive of the top or shelter) and/or substantially screened from view by planting fast-growing or mature trees or shrubs. Dog run is not to exceed six (6) feet in height. A five (5) foot setback from a four (4) foot fence is required. Please refer to the fence details in [Schedule 1](#) & [Schedule 2](#) for approved heights, stains and designs. Commercially available shade covers such as shade sails are allowed, however household items such as tarps, sheets, and blanket(s) on dog runs are not allowed.

### **3.26 Doors**

Approval is not required for an already existing main entrance door to a home or an accessory building if the material matches or is similar to existing doors on the house and if the color is generally accepted as complimentary to the home color.

Approval is not required for statement Doors/Screen Doors (replacing builder installed style).

Approval is not required for storm doors as long as the door is complimentary with the color scheme of the home.

All security or security-type doors and windows must be approved prior to installation. The color must be complimentary with the color scheme of the home.

### **3.27 Drainage**

The Covenants require that there be no interference with the established drainage pattern over any property. The established drainage pattern means the drainage pattern as engineered and constructed by the homebuilder prior (or in some cases, immediately following) conveyance of title from the home builder to the Owner. When installing your landscaping, it is very important to ensure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or against the house foundation, walkways, sidewalks, and driveways

into the street. As the property owner, you assume full responsibility and liability to ensure that planned changes do not adversely impact your property's original drainage plan.

As the property owner, you assume full responsibility and liability to ensure that planned changes do not adversely impact your property's original drainage plan or adjacent properties. It is recommended that the visible pipe shall be made of PVC or Corrugated PVC material and not extend above grade by greater than 18" and painted to match the color of the downspout. Under no circumstances should corrugated or PVC pipe be used to replace downspouts. All drainage from downspouts off the house should conform to the established drainage pattern and shall not be vented, with a pop-up drain emitter, within 10' of any property line, unless vented directly into an established swale or purpose-built drain.

### **3.28 Driveways**

Approval is required for any changes or alterations to driveways. This includes construction of a pull-off area to the side of the driveway and/or concrete driveway extensions. Owners may not paint their driveway. See [Section 3.57](#), Paving for alternatives. Owners will be required to maintain the driveways against oil spills, spalling/peeling/etc. For more information on driveways, contact the City of Thornton City Development Department at 303-538-7295.

### **3.29 Energy Efficiency Measure**

Approval is required for the installation of Energy Efficiency Measures.

The ARC shall take into consideration the following factors when considering Energy Efficiency Measures:

1. Reasonable aesthetic provisions that govern the dimensions, placement, or external appearance of an Energy Efficiency Measure. In creating reasonable aesthetic provisions, the District shall consider:
  - a. The impact of the purchase price and operating costs of the Energy Efficiency Measure;
  - b. The impact on the performance of the Energy Efficiency Measure; and
  - c. The criteria contained in these Guidelines.
2. Bona fide safety requirements, consistent with an applicable building code or recognized safety standard, for the protection of persons or property.

"Energy Efficiency Measure" means a device or structure that reduces the amount of energy derived from fossil fuels that is consumed by a unit. "Energy Efficiency Measure" includes only the following types of devices or structures:

1. An awning, shutter, trellis, ramada, or other shade structure that is marketed for the purpose of reducing energy consumption;

2. A garage or attic fan and any associated vents or louvers;
3. An evaporative cooler; and
4. Except as provided in this section, an energy-efficient outdoor lighting device, including without limitation a light fixture containing a coiled or straight fluorescent light bulb, and any solar recharging panel, motion detector, or other equipment connected to the lighting device.

This section does not apply to covenant enforcement and design review services provided under an instrument that implements dark sky requirements for residential property that is a designated dark sky place, as defined in [Section 24-49.7-110\(2\)\(d\), C.R.S.](#); a retractable clothesline; or a heat pump system, as defined in [Section 39-26-732\(2\)\(c\), C.R.S.](#)

### **3.30 Evaporative Coolers**

Approval is required. No rooftop or window mount installations are allowed.

See [Section 3.9](#), Air Conditioning Equipment.

### **3.31 Exterior Lighting**

See [Section 3.48](#), Lights and Lighting.

### **3.32 Fences**

Fences constructed by the Developer or Builder along or abutting property lines, arterial streets, collector streets, and local streets may not be removed, replaced, painted a different color or altered.

If any such fences constructed by the Developer or Builder which are located upon an Owner's property are damaged or destroyed by the actions of the Owner, the Owner shall repair or recondition the same at the Owner's expense.

Some fences may be located upon property owned by the District and, if so, the approval of the District shall also be obtained before any such fence is removed, replaced, painted or altered.

Any fence that abuts a tract owned by the District, the York Street right-of-way or the Highway 7 right-of-way shall be maintained by the District. The exterior maintenance or replacement of the fence is the responsibility of the District. The interior of these fences shall be maintained by the homeowner.

1. Theme Fencing (Fencing that has been installed by the Developer or Builder along or abutting property lines on residential streets, parks, green belts, or non-urban areas).
2. Arterial Fencing (along major roadways): No change in this fencing is permitted.
3. Non-Arterial Fencing: Open fence that is adjacent to or abuts open space shall not be changed.

## Fence Designs

1. All rear or side yard fences along property lines do not require approval of the ARC as long as all guidelines are followed. Notification to the ARC is required prior to installing the fences.
2. Fences (not previously installed by a Builder or Developer) that will be located in the rear or side yard along property lines are required to be constructed in accordance with the specifications shown in [Schedule 1](#). The 3-rail fence design is required if an owner elects to install a fence within a “site triangle,” as determined by the City.
3. All fencing in [Schedule 1](#) must be constructed of rough sawn cedar (pine and other soft woods will not be approved). Gates must be constructed in accordance with [Schedule 1](#).
4. Double fencing of property lines is not permitted.
5. All fence slats are required to be placed tightly side by side, shadow box type fencing will not be allowed.
6. Any additional fencing of any kind (not listed) shall require ARC approval.

## Maintenance/Staining

1. All fences constructed on a Unit shall be maintained, repaired and replaced by the Owner of such Unit. Regular physical and aesthetic maintenance of fencing is required. All fences must be sealed with a clear waterproof sealant, or finished using semi-transparent stain approved by the ARC. Please refer to [Schedule 2](#) for approved stain.

## Additional Fence Requirements

1. Fence sections which front or abut any public or private street, another front yard, common walkway, greenbelt, park or non-urban area must be constructed so that the side of the fence which is generally accepted as being the most “finished” side or rail- side, fronts or abuts public or private streets, common walkways, etc. The most effective method of accomplishing this is to construct the entire fence with the “finished” side out.
2. The ARC will require a transitional section of fencing, as applicable, where a fence adjoins a fence of any lesser height, for symmetry and aesthetics. Please refer to the fence details in [Schedule 1](#).
3. No electric fences are permitted (other than pet containment fencing installed below grade), and all wire installed (permitted only on the inside of the fence) must comply with the specifications in [Schedule 1](#).

4. It is important to remember that certain drainage patterns may exist along, or under, proposed fence locations. When constructing a fence, be sure to provide for adequate space between the fence and the ground to accommodate these drainage patterns.
5. When making a submittal for fencing, include the style and height of the fence, color of stain, and all other descriptive details, as well as an elevation drawing with dimensions of the fence and a plot plan or satellite image with the location of the fence clearly marked.

#### Prior Approved Fencing

1. To the extent that fencing has been previously approved by the ARC based on a prior version of these Guidelines, such fencing will be required to be compliant with this Section and [Schedule 1](#) at such time as the fence is replaced, or whenever any repair is required or made to more than twenty five (25) percent of the existing fencing material.

#### **3.33 Fire Pits**

Approval is required for all permanent or built-in structures. Approval is not required for portable units.

#### **3.34 Firewood Storage**

Approval is not required for storage of one (1) cord or less of wood. All firewood must be located in the side or rear yard, must be neatly stacked, shall not be visible from any street or the ground level of any other Unit, and must not be located so as to block established drainage patterns.

#### **3.35 Flags/Flagpoles**

Approval is not required for any free standing flagpole if the following standards are met:

1. One free standing flagpole per property;
2. Limited to three flags per property;
3. The flags shall be no larger than 24 square feet;
4. Flagpoles must be set back 6 feet from all property lines; and
5. Flagpoles must not exceed the roof line of the residence in height.

American flags should be displayed in accordance with the Federal Flag Code.

#### **3.36 Fountains/Water Features**

Any ponds or water features that require electricity will require approval.

### **3.37 Garage Sales**

Approval is not required. Garage, patio, porch or lawn sales may be held on any Unit only in accordance with the following guidelines. The Owner or resident of any Unit may conduct such a sale for up to three (3) consecutive days not more than twice in any calendar year if (a) the items sold are only his own personal property, furniture and furnishings, not acquired for purposes of resale; (b) such sale is held at such time and in such manner as not to unreasonably disturb any other resident of the area; and (c) such sale is held in full compliance with the requirements of all applicable law.

In order to maintain the highest level of Community appearance, all signage for garage sales held as permitted above must be freestanding; no posts may be driven into the ground. All signs must be uniform in size and color and must make it easy for those traveling the Community visiting garage sales to locate the homes having the garage sales. Signs found not meeting the above criteria may be removed. Signs shall be removed when the garage sale is finished and all remaining items disposed of or stored out of view. Prior approval from the ARC is required prior to posting any such signs on property of the District.

### **3.38 Gardens – Fruit or Vegetable**

For gardens where visible from the right of way, approval is required. Containers shall keep with the harmony and aesthetic of the community and shall be well maintained.

All gardens must be weeded, free of dead vegetation, cared for, and maintained on a regular basis. Gardens and containers must be removed if they are not in use during planting seasons.

### **3.39 Gazebos and Pergolas**

Approval is required. A gazebo and/or pergola must be an integral part of the rear yard landscape plan and must be similar in material and design to the residence. The color must be generally accepted as a complementary color to the exterior of the residence.

### **3.40 Grading and Grade Changes**

See [Section 3.27](#), Drainage.

### **3.41 Greenhouses**

Approval is required. Size not to exceed: 8'x10' and 8' (to peak), paint must match the color scheme of the home. If a solid roof, it must match the roof of the house. Lots exceeding 10,000 square feet may seek approval for a greenhouse up to 144 square feet and (10) feet high at the peak.

### **3.42 Holiday Decorations and Lighting**

Approval is not required if decorations are installed and holiday lights are displayed on a lot from June 29th through July 8th or October 15th through January 15th, provided that an Owner is keeping with the Community standards. For holidays falling outside of the dates listed above,

lighting displays and seasonal decorations may be up for no longer than one week before and one week after the event.

1. Time Restrictions for Holiday Decorations and Lighting

- a. All holiday lights must be turned off by 10:00 PM on weekdays and 11:00 PM on weekends to minimize light pollution and maintain a peaceful environment for all residents.
- b. Lights may be turned on after 5:00 PM on weekdays and 4:00 PM on weekends.

**3.43 Hot Tubs, Cold Tubs and Jacuzzis**

Approval is required. Hot tubs and Jacuzzis must be an integral part of the deck or patio area and of the rear yard landscaping. Prefabricated hot tub enclosures will be evaluated on a case-by-case basis.

**3.44 Irrigation Systems**

Approval is not required for underground automatic irrigation systems. Any above ground irrigation should be reasonably hidden within the landscape. All Units must have an underground automatic irrigation system installed with the landscape.

**3.45 Kennels/Commercial Animal Care**

Approval will not be granted. Breeding or maintaining animals for a commercial purpose is prohibited.

See also [Section 3.25](#), Dog Runs.

**3.46 Landscaping (Approval required)**

Approval is required for all modifications, alterations, and installation of landscaping. All owners must comply with any applicable landscaping requirements of the City. The plot plan of the residence and yard must be provided at a measurable scale. All organic materials (plants, shrubs, trees, etc.), building materials (stone, wood, edging, etc.), must be clearly labeled in detail.

Landscaping may consist of trees, shrubs, ornamental grasses, ground covers, annual and perennial flowers, turf grasses, mulches and/or xeriscape elements but is not required to include all of these.

In the case of shade or ornamental trees (deciduous), plantings may not be installed closer than six feet (6') from the property line. Any exceptions will need to be submitted for ARC review and possible approval.

In the case of evergreen trees (conifer), plantings may not be installed closer than ten feet (10') from the property line. Any exceptions will need to be submitted for ARC review and possible approval.

Thorny plants shall not be allowed to encroach on sidewalks or walkways.

Planting beds must be separated from turf by edging.

Artificial Turf is allowed in rear yards with no limitations, side yard not visible from public places, and in the front yards on up to 25% of the landscaped area. Artificial turf is subject to specific materials, buffering, installation, general appearance and maintenance requirements.

All landscaping shall include automatic irrigation.

#### Landscaping Installation Schedule

1. Initial landscaping of all yards shall be installed within one-hundred and eighty (180) days after closing on the sale of the Unit from the Developer or Builder to the first Owner if the closing occurs during the growing season (April 1 to July 31 of the same year), or by the following June 30 if the closing does not occur between April 1 and July 31. Extensions may be granted.

#### Landscape Maintenance

1. Each Owner shall maintain all landscaping on such Owner's Unit in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of any dead items, weeds, and debris, and replacement of landscaping. This applies to the front, back, and side yards as well as the Street/Tree Lawn Area. Enforcement relative to brown or dead lawns will be between May 1 and October 1 of each year. Dead or unattractive trees must be removed immediately and replaced within 45 days of the growing season. Deciduous trees must be replaced with a tree of 2" caliper or greater and evergreen trees must be replaced with a tree 6' or taller.
2. Each Owner may remove trees, shrubs, or other vegetation to create defensible space on a Unit for fire mitigation purposes, so long as the removal complies with a written defensible space plan created for the property by the Colorado state forest service, an individual or company certified by an entity of a local government to create such a plan, or the fire chief, fire marshal, or fire protection district within whose jurisdiction the Unit is located and is no more extensive than necessary to comply with the plan. The plan shall be registered with the District at least thirty (30) days before commencement of work. The District may require changes to the plan if the District obtains the consent of the individual, official, or agency that originally created the plan. The work must comply with applicable standards of the District regarding slash removal, stump height, revegetation, and contractor regulations.

#### **3.47 Latticework, Trellis, Arbors**

Approval is required for any type of installation of latticework, trellis or arbor. Adequate framing is required. The inside height of a proposed arbor or trellis must not exceed eight (8) feet, six (6) inches. Considerations will include, but may not be limited to, height, color and material. Arbors must be complementary to the residence. Professionally prepared plans for arbors are highly encouraged to expedite the approval process; otherwise a photograph or catalog picture must be provided.

### **3.48 Lights and Lighting**

Approval is not required for replacing existing lighting, including coach lights, with the same or similar lighting and style as originally installed.

Except as otherwise provided herein, approval is required to modify or add exterior lighting.

Approval is not required to install motion detector spotlights, spotlights, floodlights or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, etc.).

Considerations will include, but may not be limited to, the visibility, style and location of the fixture.

Exterior lighting for security and/or other uses must be directed at the ground and house, whereby the light cone stays within the property boundaries and the light source does not cause glare to other properties, such as bullet type.

Ground lighting along walks must be maintained. Low- voltage or solar powered ground lighting fixtures which are typically affixed by stakes or similar posts are to be maintained in good aesthetic repair, be functional, not be a tripping or other physical hazard along pedestrian pathways and remain generally vertical in their appearance.

The addition of a front yard light post will be allowed with approval and pursuant to the following:

1. Exterior lighting should be directed toward the ground and be of low voltage to minimize glare onto neighboring properties and the street.
2. Soft, outdoor pedestrian-oriented lighting should be used with dark colored lighting fixtures so as to be less obtrusive.
3. The light post should match or complement the architecture of the home in design, size, color, and finish along with any existing light fixtures.
4. Light posts shall be located at an appropriate distance from the right-of- way and property line to minimize glare onto neighboring properties and the street and should be integrated into the natural or architectural features of the site.
5. Light or lamp posts shall not be erected higher than 6' feet from ground level, unless approved by the ARC.
6. All lighting should not be intrusive to neighboring properties and must meet all City of Thornton requirements.

Exterior lights must be conservative in design and be as small in size as reasonably practical.

As used herein, "Jellyfish Lights" shall refer to those certain rope-like LED lights that are permanently installed on a home, regardless of the name brand of the lights intended to be so installed. The installation of any Jellyfish Lights does not require approval. Jellyfish Lights may

only be installed on the outer portion of the exterior soffits of the home, behind the fascia or trim so that the light is directed downward and so that the light source is not directly visible from neighboring homes, common areas, or streets.

The following criteria apply to Jellyfish Lights and temporary lights (i.e. fiesta lights, party lights, string lights, rope lights, icicle lights, net lights, mini lights, large-bulb lights, projection lights, and festoon lights):

1. JellyFish lights and temporary lights shall be set at 50% power, warm security lighting with no color. Colors may be displayed only during the following periods: June 29th through July 8th and October 15th through January 15th.
2. Temporary lights must be well maintained.
3. Jellyfish Lights and temporary lights may only be illuminated from 5:00 AM until 10:00 PM.
4. The light cone from JellyFish Lights and temporary lights must stay on the property on which they are installed and shall not cause unreasonable glare to neighboring properties.
5. Temporary lights that are visible from the street may be displayed from June 29th through July 8th and October 15th through January 15th. Outside of these dates, temporary lights that are visible from the street must be removed from the exterior of the home.

### **3.49 Mailboxes**

Approval will not be granted for individual mailboxes. Mail is delivered to group mailboxes and individual mailboxes on Units are prohibited.

### **3.50 Maintenance of Property**

No Unit shall be permitted to fall into disrepair including, but not limited to, missing shingles, failure to maintain landscaping, worn and/or falling fencing and other damage to any Improvements on any Unit. All Units, including Improvements and landscaping thereon, shall be kept and maintained by the Owners thereof in a clean, safe, attractive and in good condition. No trash, litter, junk, boxes, containers, bottles, cans, furniture, implements or machinery shall be permitted to remain upon any Unit except as necessary during the period of construction. Lawns must be watered and maintained. Houses must be painted and repaired.

### **3.51 Motor Vehicles/Recreational Vehicles**

All types of "recreational vehicles," including but not limited to trailers, mobile homes, detached camper units, utility and boat trailers, snowmobiles, race cars, watercraft or house trailers, are prohibited from parking anywhere within the Property unless parked within an enclosed garage, except for the "temporary expedient of unloading, delivery or emergency." Parking for seventy-two (72) consecutive hours during a seven (7) day period for loading and unloading is allowed. Parking of a recreational vehicle for a period of time in excess of seventy-two (72) consecutive hours in a seven (7) day period is prohibited, except as may be approved in writing by the ARC.

The purpose of the seventy two (72) hours is to load and unload, not to provide storage/parking for the unit. Recreational Vehicles must be stored/parked in the garage, off site, or as otherwise approved in writing by the ARC.

Vehicles shall not be parked on landscaped (i.e., rock, sod, mulch, plants, etc.) areas.

No inoperative or unlicensed vehicle shall be stored, parked, maintained or kept within the Property except within enclosed garages. "Inoperative vehicle" shall mean any automobile, truck, motorcycle or motorbike which has not been driven under its own propulsion for a period of two (2) weeks or longer. The foregoing restriction shall not include otherwise permitted vehicles parked by Owners while on vacation or during a period of illness.

Vehicles in violation hereof may be subject to towing at the Owner's expense, as more fully provided in the Covenants.

### **3.52 Overhangs/Awnings – Cloth or Canvas**

Approval is not required. An overhang should be an integral part of the house or patio design. The color must be the same as, or generally recognized as, a complementary color to the exterior of the residence. A swatch of material to be used must be provided with the review submittal.

See [Section 3.54](#), Patio Cover/Pergola.

### **3.53 Painting**

Approval is not required if color and/or color combinations are identical to the original manufacturer color established on the home and/or accessory improvement. Any changes to the color scheme must be submitted for approval and must conform to the general scheme of the Community.

You will need to submit the Design Review Request Form with your color samples and a photo of your current house scheme. Homes immediately adjacent and across the street are not permitted to be painted with the same paint scheme.

Outlining the garage door panels in a contrasting color or in a checker board design is not permitted.

Most homes have multiple tone paint schemes (e.g., body color, trim color and accent color for shutters and doors). New colors submitted should preserve this multiple tone scheme.

Color selections should be submitted to the ARC in the form of manufacturer's paint chips. Please indicate which color chips are for trim, body and accent (doors and shutters) color.

Only those areas that are painted may be repainted and only those areas that are stained may be restained; unpainted and unstained areas (such as brick or stone) shall remain unpainted and unstained.

Expedited approval will be granted to owners selecting a scheme from the color palette.

See [Schedule 4](#) for approved schemes for Orchard Farms color palette.

### **3.54 Patio Cover/Pergola**

Approval is required. Patio covers must be constructed of material consistent with the home and be similar or generally recognized as complementary in color to the colors on the house. Freestanding patio covers may be permitted as well as extensions of the roof.

### **3.55 Patios – Enclosed**

See [Section 3.7](#), Additions and Expansions.

### **3.56 Patios – Open**

Approval is required. Open patios must be an integral part of the landscape plan and must be located so as not to create an unreasonable level of noise for adjacent property Owners. In some instances, additional plant material around the patio may be required for screening or integration into the landscape design. The patio and materials must be similar or generally accepted as a complementary color and design to the residence. Construction shall not occur over easements or beyond the side plane of the home and must be set back a minimum of twenty (20) feet from the adjacent property line. For non-dwelling property lines, a 3 foot setback is required. Patios may not be more than twenty-five (25) percent of the entire rear yard of the Unit unless otherwise approved by the ARC.

See [Section 3.23](#), Decks.

### **3.57 Paving**

Approval is required, regardless of whether for walks, driveways, patio areas or other purposes, and regardless of whether concrete, asphalt, brick, flagstones, stepping stones, pre-cast patterned, or exposed aggregate concrete pavers are used as the paving material.

See [Section 3.28](#), Driveways.

### **3.58 Pipes**

Approval is required for all exterior pipes, conduits and equipment. Adequate screening may also be required.

See [Section 3.80](#), Utility Equipment.

### **3.59 Play Structures, Sports Equipment and Sport Courts**

Approval is required. Consideration will be given to adjacent properties (a minimum five (5) foot setback from the property line, is required for trampolines, swing sets, fort structures, etc.) so as not to create an undue disturbance. In some instances, additional plant material around the equipment may be required for screening. Wood structures must be constructed of pressure treated or other weather resistant materials. All play equipment must be maintained in a good and sightly

manner. Height of any play structure or sports equipment may not exceed twelve (12) feet. Approval is not required if a structure is less than twenty four (24) square feet and less than six (6) feet high, from the highest point to the ground.

Lighting must be turned off by 9:00 PM.

No spotlights are allowed.

Lighting shall be placed so as not to disturb owners of neighboring units.

Must be located in the rear yard and at least 20 feet from adjacent dwelling property lines. For non-adjacent dwellings property lines, 3' setback required.

Tall plant screening is required between sports courts and any neighboring properties.

Hours of courts usage are between 8:00 AM and 9:00 PM.

All sports equipment must be in good repair.

Sports courts are defined as “having permanent sports equipment installed including but not limited to basketball hoops, tennis nets, etc.”

### **3.60 Playhouses**

Approval is not required if a structure is less than twenty four (24) square feet and less than six (6) feet high, from highest point to the ground.

Approval is required for structures greater than twenty four (24) square feet and/or greater than six (6) feet high, from the highest point to the ground.

See [Section 3.6](#), Accessory Building.

### **3.61 Poles**

See [Section 3.35](#), Flags/Flagpoles and [Section 3.80](#), Utility Equipment.

### **3.62 Ponds and Water Features**

Approval is required in the front yard. Approval is not required in the backyard. Considerations by the ARC will include, but not be limited to, the following criteria:

1. Must be integrated into landscape scheme;
2. Setback shall be a minimum of five (5) feet from all property lines;
3. Must not affect existing drainage on the lot or off the property;
4. Must be maintained at all times; and

5. The maximum height of all fountain/pool elements and their spray is not allowed to be higher than four (4) feet from the ground plane.

### **3.63 Pools**

Approval is required. Pools must be placed in the rear yard and be an integral part of the deck or patio area. They should be located in such a way that they are not immediately visible to adjacent property Owners (i.e. screened with plant material). A 5 foot setback is required from each property line. Homeowners are responsible for keeping the pool well maintained. One (1) wading pool, if less than eighteen (18) inches high and eight (8) feet in diameter, per Unit, is permitted on a temporary basis without prior approval, if placed in the rear yard.

See [Section 3.43](#), Hot Tubs, Cold Tubs and Jacuzzis.

### **3.64 Radio Antennae**

See [Section 3.10](#), Antennae/Satellite Dishes.

### **3.65 Radon Mitigation Systems (Approval is not Required)**

Equipment must be painted a color similar or generally accepted as complimentary to the exterior of the house. All equipment shall be installed so as to minimize its visibility.

### **3.66 Rain Barrels**

Approval is required to use a rain barrel, as defined in [Section 37-96.5-102\(1\), C.R.S.](#), to collect precipitation from a residential rooftop in accordance with [Section 37-96.5-103, C.R.S.](#)

### **3.67 Roofing Materials**

Approval is required for all roofing materials other than those originally used by the builder. All buildings constructed on a Unit should be roofed with the same or greater quality and type of roofing material as originally used by the builder.

Approval is not required for repairs to an existing roof with the same building material that exist on the building.

### **3.68 Rooftop Equipment**

Approval is required. Equipment must be painted a color similar or generally accepted as complimentary to the roofing material of the house. All rooftop equipment shall be installed so as to minimize its visibility.

See [Section 3.75](#), Solar Energy Devices and [Section 3.10](#), Antennae/Satellite dishes.

### **3.69 Satellite Dishes**

See [Section 3.10](#), Antennae/Satellite Dishes.

### **3.70 Saunas**

See [Section 3.6](#), Accessory Building.

### **3.71 Sewage Disposal Systems/Septic Systems (Individual)**

Approval will not be granted. Individual sewage disposal systems/septic systems are not permitted.

### **3.72 Sheds**

See [Section 3.6](#), Accessory Building.

### **3.73 Siding**

Approval is required. Vinyl siding will not be allowed. Minor repairs do not require approval.

### **3.74 Signs**

Approval is not required for one (1) temporary sign advertising property for sale or lease or one (1) open house sign, which shall be no larger than five (5) square feet and which are conservative in color and style. Such signs may be installed in the front yard or on the back yard fence of the Unit.

Political signs (defined as signs that carry a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue) may be displayed within the boundaries of an Owner's or resident's Unit without approval, subject to the following:

1. Political signs may not be displayed earlier than 45 days before the day of the election and must be removed no later than seven days after the election.
2. No more than two political signs per political office or ballot issue that is contested in the pending election may be displayed.
3. Political signs shall not exceed 36" by 48" in size.

Commercial, advertising, and other temporary signs can only be displayed for 30 days.

Approval is required for all other signs. No lighted sign will be permitted unless utilized by the Developer and/or a Builder.

### **3.75 Solar Energy Devices**

Approval is required in order to review aesthetic conditions. Photovoltaic (PV) Solar panels are preferred to lay flat on the roof, meet all applicable safety, building codes and electrical requirements, including solar panels for thermal systems (solar water heaters). The ARC is allowed to request changes as long as they don't significantly increase the cost or decrease the efficiency of the proposed device and panels. Please also see [Section 38-30-168, C.R.S.](#), which governs the review and the Owner's installation of such devices.

### **3.76 Statues**

See [Section 3.88](#), Yard Art.

### **3.77 Temporary Structures**

The Covenants state that no structure of a temporary character, including, but not limited to, a house trailer, tent, shack, storage shed, or outbuilding shall be placed or erected upon any Unit. However, during the actual construction, alteration, repair or remodeling of a structure or other Improvements, necessary temporary structures for storage of materials or waste may be erected and maintained by the Person doing such work. The work of constructing, altering, or remodeling any structure or other Improvements shall be diligently pursued from the commencement thereof until the completion.

### **3.78 Tree Houses**

Tree houses are not permitted.

### **3.79 Tree Lawns**

Owners are not responsible for the maintenance of the Street/Tree Lawn Area (the area between the sidewalk and street), even if such area is within a public right-of-way. Owners are not permitted to alter plant material installed by the Builder or Developer in Street/Tree Lawn Area, except to replace dead plant material with like material. This includes no addition of shrubs, perennials, annual flowers, ground cover or hardscape materials within this Street/Tree Lawn Area.

### **3.80 Utility Equipment**

Approval is required for installation of utilities or utility equipment. Utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.

### **3.81 Walls, Retaining**

Approval is required. Front yard retaining walls shall not exceed thirty (30) inches in height. In the side yard, retaining walls up to thirty (30) inches high, with a planted slope above the wall, may be constructed. In no event shall rear yard retaining walls exceed four (4) feet in height unless installed by the Builder or Developer. All retaining walls shall comply with applicable requirements of the City of Thornton and shall not significantly alter the drainage patterns on the lot or adjacent properties (including District or public areas). Retaining walls shall be constructed with boulders, stone, brick or split face modular concrete block facing units installed per manufacturer instructions.

New or old creosote treated timber railroad ties are prohibited.

### **3.82 Weather Vanes and Directionals**

Approval is required. Limited to one per home.

### **3.83 Wind Electric Generators**

Approval is required. In addition to ARC approval, windmills and any other type of fixture, which fall under the criteria of a wind generator, or are used to generate power etc., must meet the requirements of [Section 40-2-124, C.R.S.](#) and any regulations of the Colorado Public Utilities Commission.

### **3.84 Windows Replacement**

Approval is required. Considerations will include, but may not be limited to, size, color, existing and proposed window style and style of home. If same style window is used, no approval is required. Window grids are not required as long as windows of similar size must match other windows on that face of the house.

### **3.85 Windows: Tinting, Security Bars, Well Covers, etc.**

Approval is not required for window well covers that are manufactured with metal or plexiglass. All others will require ARC approval.

Approval is required for any visible window tinting. Highly reflective and/or dark tinting is considered too commercial for residential applications and is not permitted.

Approval is required for security bars and may not be approved on second story windows and other windows visible to the street.

### **3.86 Work Involving District Property**

Approval is required. Generally, driving vehicles, including wheelbarrows, across District property is not permitted. However, when circumstances warrant, the Board of Directors will consider requests provided that prior approval is requested and the Owner advances funds as may be reasonably required by the Board of Directors to repair any damage. The actual restoration of the District property will be done by the District.

### **3.87 Xeriscape**

Approval is required. Owners are permitted to incorporate xeriscape design when submitting landscaping plans. Additionally, the use of xeriscape, nonvegetative turf grass, or drought-tolerant vegetative or nonvegetative landscapes to provide ground covering to property for which a Unit is responsible in accordance with [Section 38-33.3-106.5 \(1\)\(i\) and \(1\)\(i.5\), C.R.S.](#) shall be permitted in accordance with these Guidelines. Xeriscape is not a specific look or specific group of plants, and it is not a disorganized jumble of plants that can grow without supplemental water. Rather, xeriscape is a combination of seven common-sense gardening principles that save water, time, and resources while creating a gorgeous landscape. Once the plan has been approved, the owner is responsible for keeping at least 80% of plants alive and in good condition. See [Schedule 3](#) for examples of typical Xeriscape plans. The Seven Principles of Xeriscape are:

1. Plan and Design – for water consumption and beauty from the start. A design makes it easy to complete your project in phases.

2. Create Practical Turf Areas – of manageable size, shape, and grade.
3. Select Low-Water Plants – and group them according to their water needs. This is also known as hydro-zoning. Then experiment to determine how much and how often to water.
4. Use Soil Amendments – as you plant. Compost is the best choice.
5. Use Mulches – like wood chips or cobble rock to reduce evaporation and to keep the soil cool.
6. Irrigate Efficiently- with purpose designed systems (including hose-end equipment) and by applying the right amount of water at the right time.
7. Maintain the Landscape Properly – by mowing, weeding, pruning, and fertilizing properly.

Plans that include only rock for the yard, without the inclusion of various organic materials and vegetation will not be approved. A xeriscaped yard must still reflect careful planning and landscaping, and appropriate maintenance, to present an aesthetically appealing result.

The installation of xeriscaping does not relieve an Owner of responsibility for watering and maintaining his or her landscaping in a neat and clean manner. In the event any vegetation requires replacement, each Owner is responsible for the prompt replacement of such vegetation.

#### XERISCAPE OPTION – FRONT YARD

- The area from the back of the sidewalk to the front of the building and side yard wing walls is defined as the front yard. Additional appurtenances, landscape elements, and decorative entry features may be allowed and will be reviewed on a case by case basis.
- Turf Requirement: no turf is required.
- Rock and inorganic mulches are limited to not more than 50% of the area to be landscaped. 50% of all rock and other mulch areas shall be covered with living plant material.
- Brick pavers, asphalt pavers, and natural stone limited to not more than 40% of the landscaped area.
- One of the following features shall be incorporated:
  - Wall – 1 to 2.5 feet high decorative natural stone, stucco or approved option;
  - Fence – in accordance with the fence requirements of District;
  - Berms – low earth berm 2.5 feet tall max. Slopes not to exceed one foot rise for each 4 feet of run; and
  - Natural Boulders.

### XERISCAPE OPTION - SIDE YARDS

- The side yard is the portion of the lot between the building, side property line, rear of building and behind the front fence wing walls.
- Internal Side Yards – May be covered in rock or mulch, no plant material is required.
- External Side Yards - On corner lots exposed to public view, they shall be landscaped by combining visible side and front yard areas and applying front yard standards.

### XERISCAPE OPTION – REAR YARD

- The rear yard is that portion of the lot between the rear property line and the rear of the building.
- In rear yards there shall be at least 35% long-lived plant material (turf, trees, shrubs or ornamental grasses), no more than 25% short-lived plant material (perennials or annuals), and no more than 25% non-living material. Mulch areas or planting beds in rear yards must have plant material cover the mulch at a rate of 50% coverage at installation and 75% coverage at maturity. Natural turf shall be limited to no more than 45% of the area to be landscaped.

### XERISCAPE OPTION – IRRIGATION

- All landscaping shall include automatic irrigation to ensure xeric and non-xeric plant matter is properly established and maintained.

#### **3.88 Yard Art – Include statues, birdbaths, ornaments, art, etc.**

Approval is not required for 6 or less pieces of art and art less than 2 feet in height. No toilets, tires, or bathtubs may be used as art or planter boxes.

See also [Section 3.36](#), Fountains/Water Features.

## **SCHEDULE 1 - FENCE DETAILS**

See attached sheets.

**SCHEDULE 2 - APPROVED FENCE STAIN COLOR**

Ready Seal – Natural Cedar – No. 112 Behr SC 146 Cedar Solid  
Clear Protectant

**SCHEDULE 3 - XERISCAPE EXAMPLES**

**SCHEDULE 4 – APPROVED SCHEMES FOR COLOR PALETTE**